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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT TACOMA**

9 _____) Case No.: 3:21-cv-5157
10 **VALERIE TEETER,**) **COMPLAINT;**
11 Plaintiff,) FAIR DEBT COLLECTION PRACTICES
12) ACT (15 U.S.C. § 1692a, *et seq.*);
13 vs.) DEMAND FOR JURY TRIAL
14 **FOSTER AND MONROE, LLC,**)
15 Defendant.)
16 _____)

17 **I. INTRODUCTION**

18 1. This is an action for damages brought by an individual consumer for Defendant's
19 violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter
20 "FDCPA").
21

22 **II. JURISDICTION**

23 2. Plaintiff's claim for violations of the FDCPA arises under 15 U.S.C. § 1692k(d),
24 and therefore involves a "federal question" pursuant to 28 U.S.C. § 1331.
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26 **III. PARTIES**

27 3. Plaintiff, Valerie Teeter ("Plaintiff"), is a natural person residing in Kitsap County,
28 Washington.

COMPLAINT
Case No. 3:21-cv-5157

Trigsted Law Group, P.C.
5200 SW Meadows Rd, Ste 150
Lake Oswego, OR 97035
(888) 247-4126 ext. 1

1 4. Defendant, Foster and Monroe, LLC (“Defendant”), is a corporation engaged in the
2 business of collecting debts by use of the mails and telephone. Defendant regularly attempts to
3 collect debts alleged due another.

4
5 **IV. FACTUAL ALLEGATIONS**

6 5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

7 6. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3).

8 7. All activities of Defendant set out herein were undertaken in connection with the
9 collection of a “debt,” as defined by 15 U.S.C. § 1692a(5).
10

11 8. Within the last year, Defendant took multiple actions in an attempt to collect a debt
12 from Plaintiff. Defendant’s conduct violated the FDCPA in multiple ways, including the following.

13 9. Using false representations or deceptive practices in connection with collection of
14 a debt, including threatening to report Plaintiff’s husband to a bad check reporting system even
15 though he was completely unrelated to the transaction at issue (§ 1692e(10)).
16

17 10. Overshadowing the disclosures required by 15 USC 1692g(a), including making
18 threats to report Plaintiff and her husband to a bad check reporting system within the thirty-day
19 dispute period (15 USC 1692g(b)).
20

21 11. Falsely representing that Defendant is a law firm (§ 1692e(3)).

22 12. Threatening to take actions that cannot legally be taken, including threatening to
23 take actions to collect a debt from Plaintiff where Defendant was not licensed to collect debts in
24 Washington State (15 USC 1692e(5)).

25 13. Failing to notify Plaintiff during each collection contact that the communication
26 was from a debt collector, including failing to do so in an email (§ 1692e(11)).
27

28 14. Where Defendant had not yet made an attempt to contact Plaintiff’s counsel or had

1 not given Plaintiff's counsel sufficient time to respond to the initial attempt to communicate with
2 Plaintiff's counsel, and where Plaintiff's counsel had not given Defendant permission to contact
3 Plaintiff directly, communicating with Plaintiff directly after learning that Plaintiff is being
4 represented by counsel (§ 1692c(a)(2)).

5
6 15. As a result of the aforementioned violations, Plaintiff suffered and continues to
7 suffer injuries to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and
8 severe emotional distress.

9
10 16. Defendant intended to cause, by means of the actions detailed above, injuries to
11 Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and severe emotional
12 distress.

13 17. Defendant's actions, detailed above, were undertaken with extraordinary disregard
14 of, or indifference to, known or highly probable risks to purported debtors.

15
16 18. To the extent Defendant's actions, detailed in paragraphs above, were carried out
17 by an employee of Defendant, that employee was acting within the scope of his or her employment.

18 **COUNT I: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT**

19 19. Plaintiff reincorporates by reference all of the preceding paragraphs.

20 20. The preceding paragraphs state a *prima facie* case for Plaintiff and against
21 Defendant for violations of the FDCPA.
22

23 **PRAYER FOR RELIEF**

24 WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant
25 for the following:

- 26 A. Declaratory judgment that Defendant's conduct violated the FDCPA;
27
28 B. Actual damages pursuant to 15 U.S.C. 1692k;

1 C. Statutory damages pursuant to 15 U.S.C. § 1692k;

2 D. Costs, disbursements and reasonable attorney's fees for all successful claims, and
3 any unsuccessful claims arising out of the same transaction or occurrence as the successful claims,
4 pursuant to 15 U.S.C. § 1692k; and,
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6 E. For such other and further relief as may be just and proper.
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12 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**
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14 Dated this 4th day of March, 2021
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18 By: s/Joshua Trigsted
19 Joshua Trigsted, WSBA#42917
20 Attorney for Plaintiff
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